

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
v.) No.: 3:07-CR-46-PLR-HBG
)
KARL FREDERICK GRUEN)

MEMORANDUM AND ORDER

This matter is before the Court on the defendant's *pro se* motion for early termination of supervised release [Doc. 23]. In support of his motion, Defendant states he served his five-year term of imprisonment with no difficulties and a perfect work attendance record; and upon release from prison, he spent six months in a halfway house without any problems. He is currently employed at Phoenix Closures, Inc. At the end of May 2014, defendant will have completed one year of his three-year term of supervised release. He has incurred no additional criminal charges since his release from prison. Defendant requests early termination of his supervised release so that he may travel to Florida to spend time with family.

Defendant pled guilty to conspiracy to distribute marijuana and to money laundering, and was sentenced to 60 months imprisonment followed by three years of supervised release. Defendant moves for early termination of supervised release pursuant to 18 U.S.C. § 3583(e) which provides:

The court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(6), and (a)(7) –

Terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.

18 U.S.C. § 3583(e)(1).

The probation office reports that defendant has abided by all the conditions of his supervised release; however, he has been on supervision for only one year, and his supervising officer recommends that defendant wait until he reaches the halfway point of his supervision before he is considered for early termination. The government agrees with the probation office, and has informed the court that it opposes the motion at the present time.

After carefully considering the requirements of the statute, and in light of the probation office's and the government's opposition to the motion, the Court finds the defendant's motion for early termination to be premature at this time.

Accordingly, defendant's motion for early termination of his supervised release [R. 23] is **DENIED** at this time with leave to refile once defendant has served at least one-half of his term of supervision.

IT IS SO ORDERED.

Enter:


UNITED STATES DISTRICT JUDGE